

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/11/09

A Bill

HOUSE BILL 1432

5 By: Representatives Pennartz, Hopper, M. Martin, R. Green, Woods, Glidewell, Cook
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR REFUNDS AND
10 REIMBURSEMENTS FOR TAXES AND FEES FOR CHARITABLE
11 BINGO AND RAFFLES FOR THE DEPARTMENT OF FINANCE
12 AND ADMINISTRATION - REVENUE SERVICES DIVISION;
13 AND FOR OTHER PURPOSES.
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Subtitle

16 AN ACT FOR THE DEPARTMENT OF FINANCE AND
17 ADMINISTRATION - REVENUE SERVICES
18 DIVISION - REFUNDS AND REIMBURSEMENTS -
19 CHARITABLE BINGO AND RAFFLES
20 APPROPRIATION.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. APPROPRIATION - CHARITABLE BINGO AND RAFFLES - REFUNDS AND
27 REIMBURSEMENTS. There is hereby appropriated, to the Department of Finance
28 and Administration - Revenue Services Division, to be payable from the State
29 Central Services Fund, for refunds and reimbursements to entities who paid
30 taxes and/or fees to participate in charitable bingo or raffle events for the
31 fiscal year ending June 30, 2010, the sum of...\$300,000.
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33 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
35 TRANSFER. Immediately upon the effective date of this act the Chief Fiscal
36 Officer of the State shall transfer on his or her books and those of the



1 State Treasurer and the Auditor of the State, the sum of *three hundred*
2 thousand dollars (\$300,000) from the General Revenue Allotment Reserve Fund
3 to the State Central Services Fund to provide funds exclusively for the
4 appropriation herein for refunds to entities that paid taxes and/or fees to
5 participate in the Charitable Bingo and Raffle Program.

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7 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 DISBURSEMENT OF REFUNDS. (a) The Department of Finance and Administration –
10 Revenue Services Division at the direction of the Chief Fiscal Officer of the
11 State shall determine the difference in the amount of the cost to administer
12 the Charitable Bingo and Raffle program by the Department of Finance and
13 Administration - Revenue Services for Fiscal Year 2009 and the total amount
14 of revenues collected by the program for Fiscal Year 2009. The amount
15 determined which was collected over the amount expended by Department of
16 Finance and Administration – Revenue Services Division to administer the
17 program in Fiscal year 2009, shall be refunded to entities who paid taxes
18 and/or fees in Fiscal year 2009 to participate in the Charitable Bingo and
19 Raffle program in an amount proportional to the amount of taxes and/or fees
20 paid by each entity.

21 (b) It is the intent of this Act that only those funds transferred from the
22 General Revenue Allotment Reserve Fund to the State Central Services Fund in
23 Section 2 herein shall be utilized for refunds to participants in the
24 Charitable Bingo and Raffle program.

25 (c) Any funds transferred from the General Revenue Allotment Reserve Fund to
26 the State Central Services Fund by Section 2 of this Act shall be carried
27 forward from Fiscal Year 2009 to Fiscal Year 2010 to allow adequate time for
28 the Department of Finance and Administration – Revenue Services Division at
29 the direction of the Chief Fiscal Officer of the State to distribute refunds
30 as authorized in (a) herein.

31 (d) Any funds transferred from the General Revenue Allotment Reserve Fund to
32 the State Central Services Fund by Section 2 of this Act in excess of the
33 amount refunded for the Charitable Bingo and Raffles program shall be
34 credited back to the General Revenue Allotment Reserve Fund or its successor
35 fund or fund accounts as a Refund to Expenditure for the year in which the
36 deposit was made.

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2 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
3 by this act shall be limited to the appropriation for such agency and funds
4 made available by law for the support of such appropriations; and the
5 restrictions of the State Procurement Law, the General Accounting and
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
7 Procedures and Restrictions Act, or their successors, and other fiscal
8 control laws of this State, where applicable, and regulations promulgated by
9 the Department of Finance and Administration, as authorized by law, shall be
10 strictly complied with in disbursement of said funds.

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12 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
13 that any funds disbursed under the authority of the appropriations contained
14 in this act shall be in compliance with the stated reasons for which this act
15 was adopted, as evidenced by the Agency Requests, Executive Recommendations
16 and Legislative Recommendations contained in the budget manuals prepared by
17 the Department of Finance and Administration, letters, or summarized oral
18 testimony in the official minutes of the Arkansas Legislative Council or
19 Joint Budget Committee which relate to its passage and adoption.

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21 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
22 Assembly, that funds provided by the General Assembly for the operations of
23 the Department of Finance and Administration - Revenue Services Division are,
24 due to unforeseen circumstances, insufficient for the Department of Finance
25 and Administration - Revenue Services Division to continue to provide
26 essential governmental services; that the provisions of this act will provide
27 the necessary monies for the Department of Finance and Administration -
28 Revenue Services Division to continue such services; and that a delay in the
29 effective date of this Act could work irreparable harm upon the proper
30 administration and provision of essential governmental programs. Therefore,
31 an emergency is hereby declared to exist and this Act being necessary for the
32 immediate preservation of the public peace, health and safety shall be in
33 full force and effect from and after the date of its passage and approval.
34 If the bill is neither approved nor vetoed by the Governor, it shall become
35 effective on the expiration of the period of time during which the Governor
36 may veto the bill. If the bill is vetoed by the Governor and the veto is

1 overridden, it shall become effective on the date the last house overrides
2 the veto.

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/s/ Pennartz